

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Group: Attorney Docket #: 3826

In re:

Applicant(s): BRACHT, S., ET AL

Serial No.: 10/588,222

Filed: 08/02/2006

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 USC 371**

June 7, 2007

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Reference is made to the attached Notification of Missing Requirements.

It has been noted that the second inventor's last name is different than what is on the international application

The reason for this is because the second inventor married on August 23, 2004, and thereafter took the name Babett Gutsmuths

The maiden name of Babett Gutsmuths was Babett Degenhardt.

A Declaration to this effect together with a translation thereof is attached hereto.

It is requested that any fee be debited to the account of the undersigned 19-4675.

Prosecution of the subject application is now respectfully requested.

Respectfully submitted,

/ Michael J. Striker /

Michael J. Striker
Attorney for Applicant
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103 East Neck Road
Huntington, New York 11743



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/588,222	Stefan Bracht	3826
INTERNATIONAL APPLICATION NO.		
PCT/EP05/01076		
I.A. FILING DATE	PRIORITY DATE	
02/03/2005	02/03/2004	

Striker Striker & Stenby
 103 East Neck Road
 Huntington, NY 11743

CONFIRMATION NO. 4237

371 FORMALITIES LETTER



OC000000023731096

Date Mailed: 05/08/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/02/2006
- English Translation of the IA filed on 08/02/2006
- Copy of the International Search Report filed on 08/02/2006
- Preliminary Amendments filed on 08/02/2006
- Information Disclosure Statements filed on 08/02/2006
- Oath or Declaration filed on 08/02/2006
- Request for Immediate Examination filed on 08/02/2006
- U.S. Basic National Fees filed on 08/02/2006
- Priority Documents filed on 08/02/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - Second Inventor last name is different then what is on the International Application.....
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/588,222	PCT/EP05/01076	3826

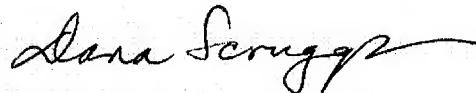
FORM PCT/DO/EO/905 (371 Formalities Notice)

June 4, 2007

DECLARATION

The undersigned, Dana Scruggs, having an office at 8902B Otis Avenue, Suite 204B, Indianapolis, Indiana 46216, hereby states that she is well acquainted with both the English and German languages and that the attached is a true translation to the best of her knowledge and ability of US Patent Application, Ser. No. 10/588,222.

The undersigned further declares that the above statement is true; and further, that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any patent resulting therefrom.



Dana Scruggs

Dr. Babett Gutsmuths
Rittergutsweg 5
04668 Thümmritzwalda / OT Böhlen

Böhlen, July 31, 2006

Declaration

I hereby verify that I have had the name Babett Gutsmuths since August 23, 2004. My address has not changed.

A handwritten signature in black ink, appearing to read "Babett Gutsmuths, geb. Degenhardt". The signature is fluid and cursive, with "Babett" and "Gutsmuths" on the first line and "geb. Degenhardt" on the second line.

Babett Gutsmuths, maiden name: Degenhardt

Dr. Babett Gutsmuths
Rittergutsweg 5
04668 Thümmritzwalde / OT Böhlen

Böhlen, der 31.07.2006

Erklärung

Ich versichere, dass ich seit 23.08.2004 den Namen Babett Gutsmuths trage. Meine Adresse hat sich nicht geändert.


Babett Gutsmuths, geb. Degenhardt